

Notice of Allowability

Application No.

10/614,208

Examiner

Matthew A. Thexton

Applicant(s)

KOJIMA ET AL.

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☒ The drawings filed on 08 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date one sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

DETAILED ACTION

Claim Version

The claims as submitted on 2005 July 8 have been examined.

Claims Analysis

Claim 1 is directed to a mixture comprising

a latex of natural rubber;

an emulsion of a tackifier which is an aromatic modified terpene resin; and

an antifreezing agent;

wherein on the basis of A+B+C wherein A is the solids content of the rubber, B is

the solids content of the tackifier, and C is the amount of antifreezing agent,

A is 30-60 weight percent;

B is 10-30 weight percent; and

C is 20-50 weight percent.

Dependent claim 2 further limits the antifreezing agent to ethylene glycol and/or propylene glycol.

Allowable Subject Matter

Claims 1 and 2 are allowed.

Statement of Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The closest prior art considered employs the phenolic modified terpene resin which is employed in Applicant's comparative example. The comparison establishes the superiority of the aromatic modified terpene resin.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JPO machine translation of Okamura et al. (JP 2000-272022, cited by Applicant) is cited to complete the record.

JPO machine translation of Kojima et al. (JP 2001-198986, cited by Applicant) is cited to complete the record.

Kageyama et al. (US 4116895) discloses puncture sealant mixtures but fails to contemplate incorporating antifreezing agent.

Kawamura et al. (US 6063837-A) discloses puncture sealant mixtures but fails to contemplate incorporating an aromatic modified terpene resin.

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Gerresheim et al. (EP 753420-A2) discloses puncture sealant mixtures but fails to contemplate substituting an aromatic modified terpene resin for the phenolic modified terpene resin which is employed in Applicant's comparison.

Manfuretsudo et al. (JP 09-118779, as evidenced by JPO machine translation) discloses puncture sealant mixtures but fails to contemplate substituting an aromatic modified terpene resin for the phenolic modified terpene resin which is employed in Applicant's comparison.

Kishida et al. (US 6864305-B2) discloses puncture sealant mixtures but fails to contemplate incorporating an aromatic modified terpene resin.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew A. Thexton whose telephone number is 571-272-1125. The examiner can normally be reached on Monday-Friday, 9:30 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasudevan S. Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.A. Thexton
Matthew A. Thexton
Primary Examiner
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